

IN THE CLAIMS:

Add the following new claim:

--18. The packaging machine of claim 6 wherein said compressive force is controlled according to characteristics of the film.--

REMARKS

Claims 6-17 were rejected under 35 U.S.C. 103 over Fukuda in view of Simionato and further in view of Kreager. Fukuda was cited evidently for disclosing generally a form-fill-seal packaging machine. As correctly noted by the Examiner, Fukuda does not disclose a two-chambered air cylinder, and more importantly, the use of two air pressures, that is, (1) a higher air pressure for moving the heater unit and (2) a lower pressure for controlling the compressive force with which the heater unit compresses films against the chute. It is to be noted that the aforementioned compressive force was provided by a spring in prior art technology, regardless of the characteristics of the film. According to the present invention, the lower pressure controls this compressive force according to the film characteristics (page 3, line 17 et seq.). Newly added claim 18 emphasizes this aspect of the invention.

Simionato was cited evidently for disclosing selectively controlled stacked cylinders and a control unit effecting switching of their operation. Simionato's cylinders, however, are for moving the "belts 1, slides 7, rollers 4, etc. in order to contact and move the packaging material downward" (page 3, lines 9-11 of the Official Letter). The air cylinder according to claim 6 (which is referred to as "an air cylinder", indicating that there is only one cylinder, not a plurality of cylinders), by contrast, is for moving the heater so as to control the pressure applied to the film, not to move the film "downwards along chute" (page 3, line 11 of the Official Letter). The Examiner says that the compressive force must be adequate (page 3, lines 18-19 of the Official Letter) and hence that Simionato's cylinders ensure a constant feeding pressure (page 4, line 1 of the Official Letter), but the Examiner is merely stating a truism.

Simionato does not say, and the Examiner does not claim that Simionato is saying, whether this constant feeding pressure is ensured by moving the heating unit or by whatever else. It is also to be noted that the feeding pressure and the sealing pressure are different concepts. An adequate feeding pressure for moving the film downward may not be adequate for the sealing. A force supplying means for pulling a film downward and a force applying means for moving a heater towards the film are different means for different purposes. They cannot be compared one against the other any more than a length against a weight because they are not in the same scale. The Examiner is requested to review the issue whether or not one can be a base for calling the other obvious in such a situation. Applicant believes that it cannot.

Kreager was cited evidently for disclosing a pressure regulator for supplying different pressures to two separate cylinders. Kreager's invention relates to a "cold seal assembly" (line 5 of Abstract) which is particularly characterized as not requiring "the application of external heat to provide a good seal" (lines 8-9 of Abstract). Although Kreager discloses providing a higher air pressure and a lower air pressure, the higher pressure is not for moving any heater unit (a requirement in claim 6 of the instant application) and the lower pressure is not for controlling the compressive force of the heat unit on the film (another requirement in claim 6 of the instant application). Instead, Kreager's higher pressure is used for moving the compression wheel 82 for the cold sealing (not for moving a heat unit) and his lower pressure is used for moving the tracking roller 72 (not for controlling the compressive force of a heat unit on a film). In summary, Kreager produces two pressures for purposes which are different from the purposes narrowly limited by the language of claim 6 herein. There is nothing new in using two pressures for two different purposes. What is new is the two purposes for which two different pressures are being used. Since neither Simionato nor Kreager disclosed or even hinted at the use of two different pressures in connection with a movable heat unit, the Examiner's rejection of claims 6-17 based on these references should be reversed.

One new claim is being added herein in order to more narrowly describe the invention, although it has nothing to do with the allowability of currently pending claims 6-17.

In summary, applicant is of the opinion that this Amendment is totally responsive to the Office Action and that the Examiner will find the application allowable, either with or without claim 18.

Respectfully submitted,



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